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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Docket: 5169-0003-1
Stephen C. Wardlaw :
Serial Number: New : Art Unit: Unknown
Filed: Herewith :
:

TITLE: CONTAINER FOR HOLDING BIOLOGIC FLUID FOR ANALYSIS

Hartford, Connecticut, February 9, 2004

Mail Stop Patent Application
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT

SIR:

Applicant(s) submits herewith Form PTO/SB/08A identifying patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Under 37 CFR 1.97 (b)

- This Information Disclosure Statement is being filed within three months of the filing date of the application, or the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

Under 37 CFR 1.97 (c)

- This Information Disclosure Statement is being filed *after* three months of the filing date of this national application, or the date of entry into the national stage as set forth in §1.491 in an international application, or after the mailing date of the first Office Action on the merits, whichever event occurred last, but *before* the mailing date of either a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.

- A certification as specified in 37 CFR 1.97(e) is set forth below or
 Fee as set forth in 37 CFR 1.17(p) (\$180.00).

Under 37 CFR 1.97(d)

- This Information Disclosure Statement is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee. Applicant hereby petitions for the consideration of this Information Disclosure Statement, 37 CFR 1.97(d)(ii). A certification as specified in 37 CFR 1.97(e) is set forth below.

- A certification as specified in 37 CFR 1.97(e) is set forth below and
 Fee as set forth in 37 CFR 1.17(p) (\$180.00).

CERTIFICATION (37 CFR 1.97(e))

- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement. A copy of the relevant search report is enclosed herewith.
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.
-

Under 37 CFR 1.98(a)(2)(i)

- Because the above-referenced application was filed after June 30, 2003, pursuant to USPTO Notice dated 7/11/2003 ("Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications filed after June 30, 2003") Applicant(s) do not provide copies of the U.S. patents identified on the attached PTO/SB/08A form at this time. Should the Examiner require the U.S. patent copies, Applicants respectfully request the Examiner contact Applicants' Representative at the number listed below.

Applicants respectfully request that any deficiencies in the fees be charged to
Deposit Order Account No. 13-0235.

Respectfully submitted,

By Richard D. Getz
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FORM PTO-1449
INFORMATION DISCLOSURE STATEMENT BY APPLICANT(S)

Docket No.: 5169-0003-1
 Applicant: Wardlaw
 Title: CONTAINER FOR HOLDING
 BIOLOGIC FLUID FOR ANALYSIS

U.S. Serial No.: New
 U.S. Filing Date: Herewith
 Group Art Unit: Unknown

U.S. PATENT DOCUMENTS

<u>Examiner's Initials</u>	<u>Patent Number</u>	<u>Patent Date</u>	<u>Name</u>	<u>Class Subclass</u>
_____	3,883,247	05/13/1975	Adams	356/39
_____	3,916,205	10/28/1975	Kleinerman	250/461
_____	4,550,417	10/29/1985	Nunogaki et al.	377/10
_____	4,558,014	12/10/1985	Hirschfield et al.	436/527
_____	4,596,829	01/09/1996	Kass, et al.	435/2
_____	4,790,640	12/13/1988	Nason	350/534
_____	4,853,210	08/01/1989	Kass	424/3
_____	4,950,455	08/21/1990	Smith	422/56
_____	5,028,529	07/02/1991	Ericcson	435/30
_____	5,316,952	05/31/1994	Brinball	436/70
_____	5,397,479	03/14/1995	Kass, et al.	210/728
_____	5,427,959	06/27/1995	Nishimura, et al.	436/534
_____	5,547,849	08/20/1996	Baer, et al.	435/7.24
_____	5,591,403	01/07/1997	Gavin, et al.	422/73
_____	5,608,519	03/04/1997	Gourley et al.	356/318
_____	5,646,046	07/08/1997	Fischer	436/49
_____	5,681,529	10/28/1997	Taguchi et al.	422/61
_____	5,781,303	08/14/1998	Bendt	356/381
_____	5,787,189	07/28/1998	Lee et al.	382/133
_____	5,800,781	09/01/1998	Gavin et al.	422/73

FOREIGN PATENT DOCUMENTS

<u>Examiner's Initials</u>	<u>Document Number</u>	<u>Date</u>	<u>Country</u>	<u>Translation Yes</u>	<u>No</u>

OTHER DOCUMENTS

Examiner's
Initials

EXAMINER

DATE CONSIDERED

EXAMINER:

Initial if citation considered, whether or not citation is in
conformance with MPEP 609. Draw line through citation if
not in conformance and not considered. Include copy of this
form with next communication to applicant(s).